

January 28, 1976

Attorney General made last November that any item that was specifically identified such as this would be taken into account and this language takes care of that technicality. I move the adoption of that amendment.

PRESIDENT: Senator Goodrich.

SENATOR GOODRICH: Senator Warner, would you yield to a question? I want to be sure we have exactly what you are doing Jerry, or Senator Warner.

SENATOR WARNER: Yes.

SENATOR GOODRICH: Are you dividing the question on your amendment on page 304?

SENATOR WARNER: Yes sir.

SENATOR GOODRICH: Then you are taking that portion that says in essence that the Board of Equalization shall recognize this as an express obligation of the state and you are not taking the rest of the issue?

SENATOR WARNER: Were going to vote on that after this. This one I assume is not argumentative because, if the bill is to function it needs to be there.

PRESIDENT: Any further discussion? The question is the adoption of Senator Warner's amendment to LB202. Record your vote. Record.

CLERK: 28 ayes.

PRESIDENT: Motion carries, Senator Warner.

SENATOR WARNER: Now Mr. President, I would move the adoption of the second half of the amendment. It reads that the total tax levy of each county shall be reduced by the amount of additional state funds provided pursuant to this section and any county which fails to reduce this levy shall forfeit state assistance pursuant to the section. During discussion on General File there was a concern expressed, at least by some that the provision of LB202 would not result in any property tax reduction, but in fact as this cost was relieved from the counties, particularly those that were at their mill levy limit, or nearly at their mill levy limit, the same levy would still be assessed and affect results in additional spending. The purpose of this amendment then is to insure and it would only be affective on those counties that are reaching their mill levy limit, their constitutional mill levy limit of 14.28 and it would assure that these additional state funds would in fact reduce the collection of property tax and it would do it, we have had some problems with bill drafter, with designing the language, but the affect is that if a county's mill levy limit is 14.28 under the Constitution that mill levy limit would be reduced in an amount equal to the amount of revenue that was received under LB202. That in affect then guarantees it as a property tax replacement as opposed to additional expenditures.